

Introduced by Senator McPherson

February 22, 2001

An act to add Section 530.8 to the Penal Code, relating to public safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 592, as introduced, McPherson. Public health: sale of vital records.

Existing law prohibits the manufacture or sale of false certificates of birth, fetal death, death, or marriage and the unauthorized use of another person's identifying information. A violation of these provisions is a crime.

This bill would make it a crime, punishable as either a felony or misdemeanor, to sell or offer to sell a genuine certificate of birth, fetal death, death, or marriage. This provision would not apply to an employee of a governmental entity acting within the scope of his or her employment.

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.



The people of the State of California do enact as follows:

1 SECTION 1. Section 530.8 is added to the Penal Code, to
2 read:

3 530.8. (a) Every person who sells or offers to sell any
4 genuine certificate of birth, fetal death, death, or marriage, is guilty
5 of a crime, and upon conviction therefor, shall be punished by
6 imprisonment in the county jail not to exceed one year, or by
7 imprisonment in the state prison.

8 (b) This section shall not apply to an employee of a state or local
9 government acting within the scope of his or her employment.

10 SEC. 2. No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 the only costs that may be incurred by a local agency or school
13 district will be incurred because this act creates a new crime or
14 infraction, eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section 17556 of
16 the Government Code, or changes the definition of a crime within
17 the meaning of Section 6 of Article XIII B of the California
18 Constitution.

